

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE



OFFICIAL WARNING  
VIOLATION OF FEDERAL REGULATIONS

CASE NO.  
TN09131-AC

VIOLATOR  
Patricia Jerke

ADDRESS (Street, City, State, Zip Code)

18524 S.E. 346 Street  
Auburn, WA 98092

The Department of Agriculture has evidence that on or about May 23, 2009, you or your organization committed the following violation of Federal law:

Entered for the purpose of showing or exhibiting, the horse "Danger at the Ritz," at the 39<sup>th</sup> Annual Spring Fun Show which was found sore and tested positive for prohibited foreign substances: multiple hydrocarbons.

The Horse Protection Act prohibits the following conduct:

15 U.S.C. § 1824(2) Unlawful Acts

"The (A) showing or exhibiting, in any horse show or horse exhibition, of any horse which is sore, (B) entering for the purpose of showing or exhibiting in any horse show or horse exhibition, any horse which is sore, (C) selling, auctioning, or offering for sale, in any horse sale or auction, any horse which is sore, and (D) allowing any activity described in clause (A), (B), or (C) respecting a horse which is sore by the owner of such horse."

15 U.S.C. § 1824(7) - Unlawful Acts

The showing or exhibiting at a horse show or horse exhibition; the selling or auctioning at a horse sale or auction; the allowing to be shown, exhibited, or sold at a horse show, horse exhibition, or horse sale or auction; the entering for the purpose of showing or exhibiting in any horse show or horse exhibition; or offering for sale at a horse sale or auction, any horse which is wearing or bearing any equipment, device, paraphernalia, or substance which the Secretary by regulation under Section 1828 of this title prohibits to prevent the soring of horses.

9 C.F.R. § 11.3 Scar rule

"The scar rule applies to all horses born on or after October 1, 1975. Horses subject to this rule that do not meet the...scar rule criteria shall be considered to be "sore" and are subject to all prohibitions of...the Act.

**Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since the violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS official.**

APHIS OFFICIAL (Name, Title)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

OFFICE ADDRESS:

4700 River Road, Unit 85  
Riverdale, MD 20737

SIGNATURE

*Sarah L. Conant*

DATE ISSUED

1/4/2011

TELEPHONE NO.

(301) 734-8684

FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)

DATE RECEIVED:

FOR CERTIFIED MAIL - RECEIPT NO: